

Introduced by Senator Bowen
(Coauthor: Assembly Member Hancock)

February 18, 2005

An act to add Section 10105 to the Elections Code, relating to municipal elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 596, as introduced, Bowen. Municipal Elections: Voting Methods.

Existing law provides procedures for the nomination of candidates for elective offices in general law cities. It specifies the procedures for the conduct of the election, the canvass of ballots, and certification of persons elected to office. Related provisions require the holding of a runoff election if no candidate has been elected at the municipal election. It provides that a vacancy in an elective office may be filled by appointment, at a special election, or at the next regular municipal election, as specified.

This bill would provide that, notwithstanding any provision of law, a city may elect officers or fill vacancies in elective offices by means of a method of cumulative voting, limited voting, choice voting, or instant runoff voting. The bill would require the Secretary of State to adopt regulations for the conduct of elections and the counting of ballots by each of these voting methods. It would permit a voting method authorized by this bill to be enacted by ordinance enacted by any of three specified ways.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 10105 is added to the Elections Code, to
2 read:
3 10105. Notwithstanding any provision of law, a city may elect
4 officers or fill vacancies in elective offices by means of a method
5 of cumulative voting, limited voting, choice voting, or instant
6 runoff voting. The Secretary of State shall adopt regulations for
7 the conduct of elections and the counting of ballots by each of
8 these voting methods. A voting method authorized by this section
9 may be enacted by any of the following ways:
10 (a) By ordinance enacted by the legislative body of the city.
11 (b) By approval of a proposition submitted to the voters at any
12 general or special election, without a petition therefor, by the
13 legislative body of the city.
14 (c) By initiative ordinance adopted pursuant to Chapter 3
15 (commencing with Section 9200) of Division 9.